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DATE: November 29, 2005

PTO IDENTIFIER: Application Number 10/636,069-Conf. #9856
Patent Number

Inventor: James C. Schmidt

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: RADER, FISHMAN & GRAUER PLLC

Linda D. Kennedy

PHONE: (248) 594-0619

Attorney Dkt #: 66192-0009

PAGES (Including Cover Sheet): 4

CONTENTS: Amendment (2 pages)
Certificate of Transmission (1 page)

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RADER, FISHMAN & GRAUER PLLC
39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304
Telephone: (248) 594-0600 Facsimile: (248) 594-0610

Application No.: 10/636,069

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Docket No.: 66192-0009

NOV 29 2005

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Patent Application of:
James Carl Schmidt****Application No.: 10/636,069****Art Unit: 1761****Filed: August 6, 2003****Examiner: Anthony J. Weier****For: Protein Enhanced Low Carbohydrate Snack Food****AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE

In response to the Office Action of Nov. 15, 2005, (paper number 110905), following is applicant's summary of the substance of the telephonic interview, pursuant to MPEP 713.04.

A telephonic interview was conducted at the applicant's request on Nov. 9, 2005. Participants were the Examiner Anthony Weier and the patent attorney for applicant, Linda Kennedy. All of the claims and the prior art were discussed in general. The possibility of amending the claims drawn to cookies into claims drawn to cookie batter was discussed. This possibility, however, was negated given an earlier restriction required. The possibility of other amendments was discussed, as well as the possibility of providing an affidavit from the inventor to overcome the cited art.

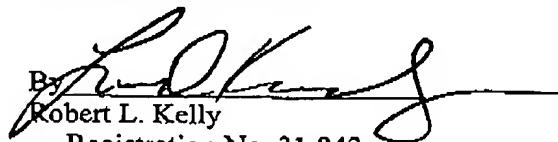
Application No.: 10/636,069

Docket No.: 66192-0009

An amendment was filed on November 17, 2005, accompanied by an affidavit from the inventor. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66192-0009 from which the undersigned is authorized to draw.

Dated: November 29, 2005

Respectfully submitted,

By
Robert L. Kelly

Registration No. 31,843

Linda D. Kennedy

Registration No.: 44,183

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0619

Attorney for Applicant

R0323861

PTO/SB/97 (09-04)

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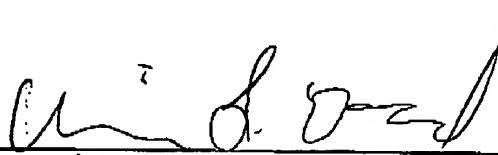
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Application No. (if known): 10/836,069

Attorney Docket No.: 66192-0009

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on November 29, 2005
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Amendment (2 pages)